

DEC 27 2006

ROBERT H. STEINWELL, CLERK
BY ah DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

JANICE KING,
Appellant

CIVIL ACTION
NO. CV05-1258-A

VERSUS

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY
Appellee

JUDGE DEE D. DRELL
MAGISTRATE JUDGE JAMES D. KIRK


J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that King's appeal is GRANTED and the final decision of the Commissioner is REVERSED because it is not based on substantial evidence and is not a correct application of the relevant legal standards.

IT IS ALSO ORDERED that the Commissioner's motion for remand is GRANTED pursuant to the fourth sentence of 42 U.S.C. § 405(g) and the case is REMANDED to the Commissioner for further proceedings, including re-evaluation of King's impairments and to obtain vocational expert testimony.

THUS ORDERED AND SIGNED in Chambers at Alexandria,
Louisiana, on this 22nd day of December, 2006.



DEE D. DRELL
UNITED STATES DISTRICT JUDGE